

# ALSTON & BIRD

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February 4, 2022

## VIA ECF

The Honorable Barbara Moses  
United States Magistrate Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

Re: *U.S. Bank National Association v. Triaxx Asset Management LLC et al.*,  
Case No. 1:18-cv-04044 (BCM)

Dear Judge Moses:

We represent U.S. Bank National Association, solely in its capacity as trustee (the “Trustee”), as Defendant in the newly filed action (Case No. 1:21-cv-11019) consolidated with the above-referenced action (the “Action”). With the parties having executed and filed a Notice, Consent, and Reference of a Civil Action to a Magistrate Judge earlier today (Dkt. No. 408), I write pursuant to Local Rule 7.1(d) and 2(a) and (f) of the Court’s Individual Practices regarding the briefing schedule for the Trustee’s forthcoming motion to dismiss. The parties have met and conferred and reached agreement on the following schedule, which they respectfully request that the Court so-order:

- Moving Brief: April 8, 2022
- Opposition Brief: May 18, 2022
- Reply Brief: June 3, 2022

This schedule reflects a ten (10) day extension to the Trustee’s current March 29, 2022 response deadline, which is sixty (60) days from the date of the Trustee’s executed waiver of service pursuant to Rule 4 of the Federal Rules of Civil Procedure. As part of the agreement that was reached on the briefing schedule, Plaintiff has consented to this extension.

There have been no previous requests for an extension. We are available at the Court’s convenience should Your Honor require any additional information.

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Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Alexander S. Lorenzo", with a stylized flourish at the end.

Alexander S. Lorenzo

cc: Counsel of Record (via ECF)